

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

LONESTAR INVENTIONS, L.P.

Plaintiff

v.

NINTENDO OF AMERICA, INC.

Defendant

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Civil Action No. 6:07-cv-00261-LED

**JOINT MOTION FOR ENTRY OF AN ORDER ENTERING THE RULE 41
STIPULATION OF DISMISSAL WITH PREJUDICE**

Come now Plaintiff, Lonestar Inventions, L.P. and Defendant, Nintendo of America Inc., and, pursuant to Rule 41 of the Federal Rules of Civil Procedure, stipulate that all claims and counterclaims in this action be dismissed, with costs to be borne by the party incurring the same. The dismissal is to be with prejudice, except that Nintendo's counterclaim that the '725 Patent is invalid is to be dismissed without prejudice.

Wherefore, premises considered, the parties respectfully pray entry of an order dismissing this cause in its entirety, with prejudice, except as to Nintendo's claim that United States Patent No. 5,208,725 is invalid, which dismissal is to be without prejudice, and with costs to be borne by the party incurring the same.

Dated: July 16, 2009

Respectfully submitted,

By: /s/ Aaron J. Pickell

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BY: /s/ Joseph S. Presta, with permission
by Chris Reynolds

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on July 16, 2009. Any other counsel of record will be served by U.S. first class U.S. mail on this same date.

/s/ Aaron J. Pickell

Aaron J. Pickell